

***United States Court of Appeals
for the Second Circuit***



APPENDIX

74-1550

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IN THE
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

NO. 74-1550

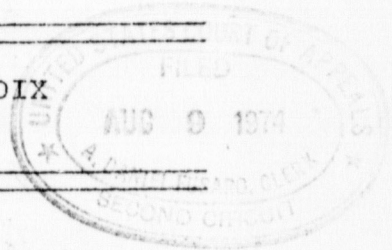
THE UNITED STATES OF AMERICA,
Plaintiff-Appellee,
-against-
CARMINE TRAMUNTI, et al.,
Defendants-Appellants.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

DEFENDANTS-APPELLANTS' JOINT APPENDIX
Vol. T(2) - Pages 130 to 156

HERBERT SIEGAL
Attorney for Defendant-Appellant
Carmine Tramunti
17 John Street
New York, New York 10038
RE 2-5330

NANCY ROSNER
Attorney for Defendant-Appellant
Louis Inglese
401 Broadway
New York, New York 10013
925-8844



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IVAN S. FISHER
Attorney for Defendant-Appellant
Donato Christiano
401 Broadway
New York, New York 10013
925-5937

ROBERT L. ELLIS
Attorney for Defendant-Appellant
Angelo Mamone
17 East 63rd Street
New York, New York 10021
838-2323

FRANK A. LOPEZ
Attorney for Defendant-Appellant
Joseph DiNapoli
31 Smith Street
Brooklyn, New York 11201
237-9500

THEODORE ROSENBERG
Attorney for Defendant-Appellant
Frank Pugliese
31 Smith Street
Brooklyn, New York 11201
858-0589

KENNETH E. WARNER
Attorney for Defendant-Appellant
Joseph Cerialle
875 Avenue of the Americas
New York, New York 10001
244-4444

ROBERT FISKE
Attorney for Defendant-Appellant
John Gamba
One Chase Manhattan Plaza
New York, New York 10005
422-3400

GEORGE DAVID ROSENBAUM
Attorney for Defendant-Appellant
Vincent D'Amico
51 Chambers Street
New York, New York 10007
BE 3-8120

MICHAEL C. DOWD
Attorney for Defendant-Appellant
Frank Russo
120-10 Queens Boulevard
New Gardens, New York 11415
793-2900

ROBERT LEIGHTON
Attorney for Defendant-Appellant
Warren C. Robinson
15 Park Row
New York, New York 10038
267-6016

GARY SUNDEN
Attorney for Defendant-Appellant
William Alonzo
401 Broadway
New York, New York 10013
925-4848

EDWARD PANZER
Attorney for Defendant-Appellant
Hattie Ware
299 Broadway
New York, New York 10007
349-6128

MARTIN JAY SIEGAL
Attorney for Defendant-Appellant
John Springer
250 West 57th Street
New York, New York 10019
586-1414

HARRY POLLAK
Attorney for Defendant-Appellant
Henry Salley
299 Broadway
New York, New York 10007
BE 3-0386

UNITED STATES OF AMERICA

vs.

CARMINE TRAMUNTI, et al.

New York, January 28, 1974.

10:00 a.m.

Trial resumed.

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(In the robing room.)

MRS. ROSNER: This morning Inglese is not present in court, the reason being that he is confined in the hospital at West Street. I saw him after the close of the court day on Friday. Dr. Ruggiero, who I understand is the attending physician at West Street, was there. He told me that, after examining Inglese after court Friday, he found 4 plus sugar in his uring, when normal would be no sugar in his uring. I believe he has a diabetic condition that's known and is being treated, and the doctor voiced the opinion to me that probably the psychological stress of the trial aggravated the situation. In addition he found the blood pressure to be abnormally high. He thought it might be due to the stress, but he was going to

order an encephalogram.

THE COURT: The examination is supposed to start at 10:15 in the morning.

MRS. ROSNER: Well, he was confined as of Friday and is still confined this morning.

THE COURT: Do you have anything to say?

MR. CURRAN: No, sir. I don't know anything more than that.

THE COURT: I didn't know anything about it until this morning, but I got moving on the phone and I found out -- there is supposed to be an examination today at 10:15. Until we get the results of the examination I don't think we can do very much.

MRS. ROSNER: No.

THE COURT: So let's put it off for today, that's all I can do.

MRS. ROSNER: Are we going to adjourn for the day or --

THE COURT: Well, we have to adjourn for the day. It's impossible.-- even if the man is found to be perfectly well, I don't think the psychological strain of dragging him from an examination to the trial would be beneficial for him or for you, because he is supposed to be aiding in his defense. So I think we better just

break for the day until we find out.

MR. LOPEZ: May I just interrupt, your Honor?

THE COURT: Sure.

MR. LOPEZ: What are we going to tell the jury?

THE COURT: We are going to tell the jury that because of the illness of one of the participants they have today off. I am making arrangements to have them brought to the Hayden Planetarium this morning.

MR. PHILLIPS: Your Honor, so that the day is not altogether unproductive, I have a few matters to take up.

THE COURT: Well, I have to listen to tapes.

MRS. ROSNER: On the subject of tapes, the defendant Inglese undertook to make transcripts of the Stasi tapes which were returned over by the government. We have about 15 now. I don't have all the transcripts back, we are still missing seven, which I hope will be completed by the end of today.

THE COURT: So the day is not going to be wasted.

MRS. ROSNER: Believe me, the adjournment is really needed in terms of the 3500 material. I am

turning over a copy to the government under protest, because they don't want to split the bill, but I am going to turn them over anyway.

THE COURT: Are you going to reproduce them, Mr. Phillips?

MR. PHILLIPS: Which is that, your Honor? You said "them" --

THE COURT: Reproduce the transcripts.

MR. PHILLIPS: I hadn't planned to.

THE COURT: Well, up to this point the government knows what it's going to prove. The defense knows certain things through the debriefing tapes and so on and so forth, and I am left in total and complete darkness and ignorance.

MR. LOPEZ: We have to make a Xerox for his Honor of all the transcripts.

THE COURT: I would like to catch up with everybody else.

MRS. ROSNER: If the government would, your Honor, they have the facilities. I know every lawyer would appreciate it.

MR. PHILLIPS: While we are on tapes, your Honor, yesterday I had occasion to listen to a couple of tapes which I had initially thought wouldn't be 3500

material because they consist of telephone calls by Stasi to members of the Police Department. However, after I listened to them, he's talking about a couple of incidents that he's going to talk about on direct examination, which would make them 3500 material.

Now, I can do one of two things and I am open to suggestions from Mrs. Rosner and Mr. Lopez. I can have these copied 18 times. I can have them copied 10 times or I could have counsel listen to the tapes and decide whether or not they want them copied at all or just to take notes. I also think that with respect to one tape there's only a fleeting reference to the ownership of certain cocaine on the entire one side of the tape, and on that tape there is only one side on which there is conversation. With respect to the other tape, which is on two sides there is reference by Stasi to orders that he received from Mr. Lentini, and I think counsel will know what I am talking about, to pick up an eighth of a kilo of cocaine and deliver it to him at Pleasant Avenue. This comes after a time when he is arrested and he is cooperating.

The only defendant on trial who is mentioned in this particular tape is Vinnie D'Amico.

THE COURT: I still think you ought to make

18 copies.

MR. PHILLIPS: All right.

MRS. ROSNER: Are you finished, Mr. Phillips?

MR. PHILLIPS: I am, on that subject.

MRS. ROSNER: On that subject, I noticed in going over the transcripts which I received yesterday that Stasi makes reference to phone calls which he made to his daughter, which were tape recorded by the police. I am not clear as to what the subject matter of those conversations was, but in an excess of caution I think the government ought to obtain possession of them if they don't already have them.

MR. PHILLIPS: We have already turned those over to the court.

THE COURT: I haven't listened to them yet.

MR. PHILLIPS: Now, your Honor, there is, with respect to Stasi and his testimony, Stasi in 1963 was convicted of the -- of a violation of the Wage, Tax Stamp Act. He received two years' probation sentence.

THE COURT: No fine?

MR. PHILLIPS: I don't believe so. He may have received a fine, but I don't believe so.

Subsequently, as your Honor may or may not know, that particular statute was declared unconstitutional by

the Supreme court in United States vs. Grosso and United States vs. Marchetti. The government would take the position that in view of the Supreme Court's ruling on that statute it would be improper for counsel to attempt to impeach by bringing out that conviction, and our position is based on another Supreme Court case, Loper vs. Beto, 405 U.S. at page 473 --

THE COURT: I will read it.

MR. PHILLIPS: All right. Now, one other matter, and that is the reference of Inglese going to prison. As your Honor may know by now -- I think counsel does, too -- Stasi is going to testify that he was given a message to convene to Inglese. He was given the message by Tramunti, and Inglese at the time was in the Tombs serving a four months sentence for drunk driving. He went down and gave him the message and the contents of the message, and the fact of its being given to Inglese from Tramunti is an essential part of the government's case. It's going to be rather difficult for Stasi to testify about this particular transaction if he is unable to refer to where he went.

MR. LOPEZ: May I make a suggestion, your Honor? In view of the fact that this involves Carmine Tramunti, I think Mr. Siegal should be made a part of the

discussion.

MR. PHILLIPS: And somewhat similar to the last two items I brought up, Stasi in June of 1973 was sentenced to 90 days for inciting a riot.

THE COURT: Inciting a riot?

MR. PHILLIPS: Inciting to riot. We would submit that that being a misdemeanor wouldn't be proper to bring out to impeach his credibility.

MRS. ROSNER: That was the date of the conviction?

MR. PHILLIPS: He was sentenced on June 6th and he served 35 days before he got out on an appeal bond. He got out on July 10th. At this point the government will probably at some point have Stasi or it will come out, and we have no objection to the fact of it coming out, that Stasi did spend approximately 35 days in jail from the beginning of June to the beginning or middle of July. However, we would object to any reference being made of what the sentence was for. It seems that under the same circumstances we would not intend to bring out what Mr. Inglese was in jail for in the Tombs but merely the fact that he was there serving a short sentence.

MRS. ROSNER: May I be heard very briefly

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on that?

Mr. Phillips is correct as to the state of the law in the federal circuits respecting the ability of counsel to impeach a witness convicted of a misdemeanor, that is, such information is not admissible.

1
2 However, the date June, 1973, is a point in time
3 after Stasi is cooperating, and it is very clear that the
4 conviction, his relation to the government, any con-
5 sideration shown him because of his cooperation are all
6 issues, are all not only admissible for the purposes of
7 impeachment but provable collaterally to show motive,
8 bias, interest to testify in favor of the government.

9 So while I agree with the ground put forth by Mr.
10 Phillips for admissibility, I think he misses the ground
11 on which it is inadmissible.

12 With respect to Inglese, you don't have to
13 prove his motive for testifying, the ground of his interest.

14 MR. PHILLIPS: I was totally unaware of his
15 conviction until some time in November of last year.
16 It was through the efforts of his attorney that he was
17 able to get out on the appeal bond. The government has
18 made no representations to Stasi, has not interfered at
19 all with his incarceration or his sentence in that particu-
20 lar case.

21 MRS. ROSNER: As long as Mr. Phillips is on
22 the subject, your Honor, the Court should know that Stasi
23 initially began cooperating with the State authorities,
24 not with the Federal Government, as a result of a State
25 arrest for the possession of drugs.

Even if the Federal Government had nothing to do directly with the incarceration in that matter, it may very well be shown that there was consideration by State authorities, which of course would be a major factor in his testimony here.

MR. PHILLIPS: There is no question that he has a State case pending here, and that can obviously be gone into, but this is a separate matter.

MRS. ROSNER: While the government is making representations about its non-consideration of Mr. Stasi, might we, your Honor, resolve the problem of what consideration if any has been promised to Primrose Cadman? That matter is still unresolved, and I would really like a ruling on that before cross-examination --

THE COURT: All right. I have thought about it over the weekend, and I really can't find any law particularly in point, and I have thought about it quite a bit.

I don't believe that the government is required to turn over or to notify counsel of any consideration prior to ~~CROSS~~-examination. I think I indicated that once before. I just went back and did some more homework on it, and I come up with the same result.

As to the question of Inglesse's drunken driving conviction and inciting to riot --

1
2 MR. PHILLIPS: Yes, your Honor.

3 THE COURT: -- we don't need to go into that
4 today.

5 MRS. ROSNER: May I suggest this? I think
6 Stasi could testify that he met Inglese in lower Manhattan
7 to deliver the message, and nobody is going to be fool
8 enough to bring out where he met him. It doesn't impede
9 the substance of the testimony to bring out that he was in
10 jail.

11 MR. PHILLIPS: Your Honor, with respect to the
12 wagering tax stamp --

13 THE COURT: We ought to take that up outside.

14 MR. PHILLIPS: I just want your Honor to give
15 us a ruling before the direct examination of Stasi starts.
16 If there is a ruling against us, we want to know.

17 (In open court; jury not present.)

18 THE COURT: I assume that counsel knows one of
19 the defendants is ill today and I believe presently is
20 undergoing an examination. Under the circumstances,
21 today will be an off day, and there will be a continuance
22 at least for today until we get a report from the doctors.

23 I want to let the jury go. We have some other
24 things to take up before the jury does go.

25 (Jury in box.)

1 THE COURT: Good morning, ladies and gentlemen.
2
3 I hope you had a pleasant weekend.

4 I was in contact with the marshal over the
5 weekend, and, as I indicated to you, he does have my
6 phone number at home, and if there is anything at all to
7 make it more comfortable for you, let him know, and he
8 will talk to me.

9 Mrs. Welch, I understand you have a sore throat.

10 ALTERNATE JUROR 5: Yes, your Honor.

11 THE COURT: And with your permission I am going
12 to ask the marshal to bring you over -- we have a doctor
13 across the street, and he is going to take a look at you --
14 not right now, but you are going to leave very fast.

15 I also have a situation today where we are going
16 to have a day off. The reason is that one of the partici-
17 pants in this trial is ill, and we do have lots of other
18 things to do, believe it or not.

19 I told you before that I have to rule on the law.
20 This is a continuing thing throughout the trial, so we will
21 be working, but you folks will not be here, and I under-
22 stand that some people on the jury can use this time very
23 well. I was told that someone had to go to a bank and
24 take care of his banking problems and so on.

25 Hopefully, this afternoon the marshal will

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2 arrange to take those of you who wish to go to the Hayden
3 Planetarium, where you may see Kohoutek, since none of us
4 could, in the evening sky. We will be back here tomorrow
5 morning at 10 o'clock.

6 If there is anything within reason, I am sure
7 the marshals can arrange it.

8 One thing I am suggesting, only to you, Mrs.
9 Welch, that you go over and have a checkup by the doctor.

10 ALTERNATE JUROR 5: Thank you, your Honor.

11 THE COURT: All right. Marshals, will you
12 escort the jury out.

13 (The jury left the courtroom.)

14 THE COURT: All right.

15 In the robing room, certain evidentiary problems
16 came up. Do you want to take them up and put it all out
17 in the open, Mr. Phillips?

18 MR. PHILLIPS: Yes, your Honor.

19 THE COURT: I think one of the things that came
20 up is the fact that one of the witnesses was incarcerated
21 for a misdemeanor charge, and the charge was, I believe,
22 inciting to riot. Is that correct?

23 MR. PHILLIPS: Yes, your Honor.

24 THE COURT: Now, Mr. Phillips asked for a ruling
25 prior to the time that he goes in to the direct examination
as to the cross-examination on this particular problem,

1
2 in other words, whether the defense should be permitted to
3 bring out that this person was convicted of a misdemeanor,
4 incitement to riot.

5 I believe the date of the conviction was some
6 time in the middle of last year; is that correct?

7 MR. PHILLIPS: June of 1973. The witness is
8 Frank Stasi.

9 THE COURT: Yes. I know the general rule is
10 not to admit misdemeanors for impeachment of credibility.
11 I question, however, whether I should use my discretion
12 at this time. I don't know the answer, whether I will
13 permit it or not, but I will let all of you know prior to
14 the time that Stasi takes the stand.

15 I recognize immediately that the defendants have
16 an argument that it should be permitted in view of the fact
17 that it came after the time when Mr. Stasi was supposedly
18 cooperating with the government, either the State or the
19 Federal, and also it is so recent that it should be per-
20 mitted.

21 I recognize the arguments, I think, that they have
22 to be gone into, and let me rule on it after I do some
23 thinking and some reading.

24 The other question, as I understand it, Mr.
25 Phillips, involves a trip by one of your witnesses to the

2 Tombs, and why don't you just outline exactly what that
3 problem is?

2
4 MR. PHILLIPS: This is the same problem, your
5 Honor, that we have brought up in our memorandum, which
6 was argued the other day, and this involves Stasi visiting
7 Inglese in the Tombs, where Inglese is serving a drunken-
8 driving sentence.

9
10 The purpose of Stasi visiting Inglese is to
11 deliver a message to Inglese from Carmine Tramunti that
12 relates to narcotics.

13
14 The government's position is that it would be
15 very difficult, if not impossible, for Stasi to relate
16 this transaction with referring to the fact of where he
17 went and how he did and how he was able to see Mr. Inglese
18 and what transpired, in addition to which it would be
19 difficult for the government's proof to be introduced
20 establishing the fact that Inglese, having heard from
21 Stasi that there is no narcotics around, that Stasi hasn't
22 heard from Joseph Delvecchio or Donato Christiano;
23 therefore, Inglese concludes that there can't be anything
24 around, and therefore give the message to Stasi to give
25 to Tramunti that he doesn't need the money. It is
impossible for the government to present the proof without
referring to where Inglese was at the time. We do not

1 intend to refer to what Inglese was in jail for, that is,
2 the drunken driving conviction.

3
4 THE COURT: All right. This was a major point in
5 the robing room. I think Mr. Siegal ought to have an
6 opportunity to comment.

7 MR. PHILLIPS: Your Honor, before Mr. Siegal
8 comments, may I take up the other matter mentioned in the
9 robing room? This is regarding another conviction of
10 Mr. Stasi, that Mr. Stasi in 1963 was convicted of the
11 wagering tax stamp statute violation, a statute which has
12 been unconstitutional by the Supreme Court in United States v.
13 Grosso and United States v. Marchetti, that is, that the
14 statute was unconstitutional in that it violated the
15 defendant's rights against self-incrimination.

16 Under Loper vs. Beto, this conviction cannot be
17 referred to in impeaching Stasi's credibility, since in
18 that case, very briefly, the prosecution attempted to
19 impeach the defendant's credibility by referring to a con-
20 viction wherein he pleaded guilty to rape but was without
21 the presence of counsel and therefore was denied the Sixth
22 Amendment rights, and the Supreme Court voted the con-
23 viction for the purpose of impeaching credibility.

24 That is all I have, your Honor.
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THE COURT: I indicated in the robing room that that is something I would read the cases on and rule but not before I read the cases.

Mr. Siegal?

MR. SIEGAL: The only point that I am interested in discussing, I know Mrs. Rosner discussed the Inglese question, as to whether or not the government should be permitted to show that he was in jail.

I guess you opposed.

I am in a different position. I want to show he was in jail.

THE COURT: Mrs. Rosner, it's your turn now.

MRS. ROSNER: Your Honor, may I suggest that we defer further consideration of this point until I sit down with Mr. Siegal and have an opportunity to explore his point of view.

THE COURT: Sure. Gentlemen, Mrs. Rosner, I believe we all have a lot of work to do.

Mr. Warner?

MR. WARNER: Your Honor, in the course of listening to a number of the tapes it appears that the police officers who arrested Frank Stasi with a box containing paraphernalia and mannite took fingerprint analysis of that box and its contents, at least, if they are telling

the truth in speaking to Stasi. If any such fingerprint analyses were taken, I would ask that the government produce them and give them to counsel at this time.

Actually, in my own client's case, it would fall into the category of Brady material.

MR. PHILLIPS: Your Honor, I can tell Mr. Warner and other counsel that there were no fingerprints found on any of the items that were taken from Mr. Stasi.

MR. WARNER: My question is whether there were fingerprint analyses, fingerprint tests taken.

THE COURT: I assume if there were no fingerprints found somebody looked for them.

Is that right, Mr. Phillips?

MR. PHILLIPS: Yes, your Honor, I believe so, but I can be one hundred per cent sure after I have had an opportunity to check. I am almost positive that fingerprint tests were taken but that the tests were negative.

MR. WARNER: I would only ask, your Honor, that even those negative results be given to counsel.

THE COURT: That is like asking to get nothing.

MR. WARNER: No, because if --

THE COURT: I am well aware.

MR. ELLIS: Your Honor will recall that in Mr. Phillips' opening remarks he referred to the settlement of a dispute by Mamone. I went back to my office after

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UNITED STATES COURT HOUSE

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1 that and spent some time looking through my own notes and
2 my own files. I can't find any reference to that. I
3 know nothing about it. Apparently Mamone knows nothing
4 about it.
5

6 So I would ask that the government supply us
7 with particulars as to when this dispute took place, the
8 persons it was between and what is involved.

9 THE COURT: Go ahead, Mr. Curran.

10 MR. CURRAN: Your Honor, the government, we
11 submit, is under no obligation to do any such thing.
12 As the proof unfolds the defendant and his attorney will
13 learn more about the facts. I think we have supplied
14 ample particulars here.

15 I would suggest that perhaps as the 3500 materi
16 is examined before the witness for the government testifie
17 on direct the information to which Mr. Ellis refers will
18 become clear to him.

19 MR. ELLIS: May I be heard on that, your Honor?

20 THE COURT: Yes.

21 MR. ELLIS: Your Honor, the ample particulars
22 to which Mr. Curran refers is a single sentence saying
23 that Mamone was present when some money was counted.

24 This is apparently the other charge against him, the
25 other allegation against him. It's 50 per cent of the

government's case.

I can't be prepared to defend against it if it's the kind of thing that requires some affirmative rebuttal proof on my side unless I know what I have to meet.

THE COURT: Go ahead, Mr. Curran.

MR. CURRAN: Your Honor, we are turning over 3500 material, as your Honor knows, the day before or the evening before the government witnesses go on the stand for direct testimony and I submit, your Honor, that Mr. Ellis in reviewing that material will undoubtedly find the particulars which he now seeks prematurely.

THE COURT: The turning over of 3500 material does not go to the particulars.

I think I have already ruled once on this request for particularization. I believe I denied it then and that denial stands.

Is there somebody else who has something?

MR. DOWD: Yes, your Honor. In the same vein as Mr. Ellis, I would like to renew my application with respect to my client and Mr. Phillips' opening statement.

I really wasn't sure what Mr. Phillips said because it seemed to me so brief in respect to my client. I find on checking the transcript that my client's apparent connection with this case is limited to eight words in the

opening statement, that he was a very steady customer of Pugliese, on page 23, line 7.

Now, I contend that this is a patently insufficient statement in respect to my client as far as an opening goes. My client stands individually in this case accused of an individual crime as well as a conspiracy and I say that such a statement in no way informs me of what the government intends to prove in respect to my client.

I have already been prejudiced in that I could not make an opening statement, having no idea of what to tell the jury our defense would be because I have no idea what the prosecution is going to prove. So in that respect I have already been prejudiced.

I think if the government is going to prove anything beyond the alleged overt act and the one substantive count I think I am entitled, in the interests of fair play and dueprocess, to be informed of that or at least some idea of what they are going to prove.

THE COURT: Your request for further particularization is denied.

MR. FORTUIN: Your Honor, Friday afternoon I called your chambers with the citation of two cases that are in the advanced sheets from the Second Circuit which we had not previously cited which we believe support the government's position on the admissibility of the \$1 million.

I also called Mr. Lopez' office and left a message there, but I would like to just read the citations so everyone will have them. The first was United States against Tirinkian, which was decided by the Second Circuit on December 7, 1973, and the second was United States against Falley, which was decided on November 28, 1973.

MR. LOPEZ: Your Honor, I have, in effect, received such a telephone call from the government.

THE COURT: Did everyone pick up the names?

All right.

MR. LOPEZ: Your Honor, most respectfully, I understand that your Honor will not decide the matter of relevancy and materiality in a vacuum and that your Honor will do so at a time more advanced in the trial.

In this connection, your Honor, we are preparing another trial memorandum on the matter of relevancy and materiality to give more supporting cases and to cover

it fully. I would hope that we would have until at least Friday. I don't think there will be any reference to the money until that date. By Friday I will be able to have in chambers, and also a copy to the government, a substantial brief on this matter.

THE COURT: Did you take into account the fact that you are going to have the rest of the day off to work on it.

MR. LOPEZ: Yes, your Honor. I will be listening to tapes also.

Another thing, your Honor. Just for completeness, your Honor, I would like to introduce as court exhibits, if your Honor please, certain items that have appeared in the newspaper. I realize that the jury is sequestered, but for completeness I would like to introduce these matters.

Your Honor, if I may, I would like to introduce as Court Exhibit No. 11 an article which appeared in the Daily News on January 25, 1974, entitled "Jury Selected In Tramonti Trial."

I would like to introduce as Court Exhibit No. 12 an article which appeared in the New York Times on January 24, 1974 entitled "Thirty Seized As Police Raid Brooklyn Dice Game, Five Reputed Top Mafia Figures Arrested

After Detectives Batter Down Doors," and here again mention is made of Carmine Tramunti.

I would like to introduce as Court Exhibit No.13 an article which appeared in the New York Daily News January 24, 1974, which is entitled "Tramunti Loses Bid To Keep \$1 million Out Of Trial." This is quite curious. Mr. Tramunti's trial counsel, Mr. Siegal, in accordance with your Honor's ruling, was not allowed to ask any questions on cross examination, but as you can see, your Honor, the Daily News entitles it Tramunti's bid and Tramunti's loss.

I would like to introduce as Court Exhibit 14 an article which appeared in the New York Post dated January 26, 1974, on page 2, your Honor, in full prominence, which indicates, "Tramunti Trial Opens With A 'Mr. Big' Bang," "Mr. Big" in quotations.

I would like to introduce as Court Exhibit 15, your Honor, an article which appeared in the New York Daily News dated January 26, 1974, prominently displayed. I think it was on page 2 or 3, the article entitled "Call Tramunti Money Man In Dope Ring As Trial Starts."

I would like to introduce as Court Exhibit No. 16, your Honor, an article which appeared on January 26th in the New York Times entitled "Tramunti Called

Heroin 'Mr. Big,' Prosecutor Says Defendant Financed Sales Operation."

Thank you very much, Judge Duffy.

THE COURT: All right. They will all be taken as court's exhibits.

Is there anything else, gentlemen?

MR. PHILLIPS: One other thing, your Honor. This was a matter that was taken up in the robbing room. It involves two other types of telephone calls by Mr. Stasi to members of the Police Department. Your Honor directed that I make 18 copies of these and make them available to defense counsel. I will have that done today. They should be ready in my office by the end of today.

THE COURT: Yes.

MRS. KOSNER: Purely housekeeping, your Honor. I have a copy of approximately eight transcripts of Stasi tapes turned over to the defense. We are still missing seven transcripts.

May we, your Honor, impose on the government to make copies for the defense, since the defense at least has borne the expense, a very considerable expense, of having the matters transcribed. I only have two extra copies. If they could reproduce it for the court

and other counsel it would certainly be a burden off my shoulders, Judge.

MR. CURRAN: That is agreeable to the government, your Honor.

THE COURT: All right.

MRS. ROSNER: Thank you very much.

THE COURT: All right. See you back here at 10 o'clock tomorrow.

(Court's Exhibits 11 through 16 marked for identification.)

(Adjourned to January 29, 1974, at 10:00 a.m.)